



General Information about the Marine Mammal Authorization Program (MMAP)



Q: *What is the Marine Mammal Authorization Program (MMAP)?*

A: The MMAP is a fishermen's registration program. Its purpose is to provide an exemption for commercial fishermen from the Marine Mammal Protection Act's prohibition on the taking of marine mammals. The MMAP is also used to provide information to you regarding specific federal marine mammal regulations that may apply to your fisheries.

Q: *Why do I have to be registered?*

A: Commercial fishermen in Category I and Category II fisheries *must be* registered in the MMAP. If they are not registered and they incidentally "take" a marine mammal while fishing, they can be prosecuted for that take under the federal Marine Mammal Protection Act (MMPA).

Q: *What does it mean to "take" a marine mammal?*

A: The MMPA defines take as to harass, hunt, capture, or kill or attempt to harass, hunt, capture or kill any marine mammal. Even accidental take is prohibited, except for certain exemptions, like the one for commercial fisheries under the MMAP.

Q: *What is a Category I and a Category II fishery?*

A: The National Marine Fisheries Service (NMFS) is required to categorize every state and federal commercial fishery, based on the likelihood of causing serious injury or mortality to a marine mammal: *Category I* fisheries have **frequent** incidental mortality and serious injury of marine mammals; *Category II* fisheries have **occasional** incidental mortality and serious injury of marine mammals.

There is also a third category:

Category III fisheries have **little or no** chance of, or are not known to cause, incidental mortality and serious injury of marine mammals.



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Q: *How does NMFS categorize each fishery?*

A: NMFS considers all the available information on marine mammal interactions with each fishery, mostly from observer data but also from other sources, such as stranding data. NMFS also considers the population status of the marine mammal species or stock that may be affected. For example, a small number of fishery takes of a very abundant stock may translate to a Category III fishery; the same number of takes of an endangered species may result in a Category I.

Q: *Where are categorizations of fisheries published?*

A: NMFS must publish a List of Fisheries (LOF) each year with an updated categorization of each commercial fishery. The LOF includes a full discussion of the categorization process and any changes from the previous year. NMFS requests and responds to public comments on the LOF before finalizing each year's list.

For further information regarding the 2007 LOF please visit:
<http://www.nmfs.noaa.gov/pr/interactions/lof/>.

Q: *What Category is my fishery in?*

A: The back of the enclosed Authorization Certificate has a summary of the Category I and II fisheries in the Atlantic, Gulf of Mexico, and Caribbean listed in the 2007 LOF. The 2007 LOF, with all categories of fisheries in all areas of the U.S., is available at the website listed above.

Q: *Why did I get automatically registered, if I only participate in a Category III fishery?*

A: NMFS is using information from existing state and federal licensing or permitting systems to automatically register Category I and II fishermen. However, at times, the information in the permitting systems does not match well with the way fisheries are defined in the LOF. When we are unable to determine with confidence that a commercial fisherman only participates in a Category III fishery, we automatically register the fisherman. This ensures that we do not accidentally miss fishermen who, even occasionally, fish in a Category I or II fishery and are required to be registered.

Q: *Do I have any responsibilities as a Category III fishery participant?*

A: If you only participate in a Category III fishery, you do not have to be registered in the MMAP. However, you are still required, as all fishermen are required, to report the incidental take of a marine mammal that results in a serious injury or mortality to NMFS within 48 hours of the end of the fishing trip. Please use the enclosed MMAP Mortality/Injury Reporting Form.



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Q: *Where do I send my completed Mortality/Injury reporting form?*

A: Mail to: NOAA's National Marine Fisheries Service,
Office of Protected Resources (F/PR2)
1315 East-West Highway
Silver Spring, MD 20910-3326.

Or fax the form to: (301) 427-2522.

Q: *How do I get additional copies of the Mortality/Injury reporting form?*

A: You may obtain additional copies of the Mortality/Injury reporting forms by calling NMFS Southeast Region Protected Resources Division at (727) 824-5312, or by downloading the reporting form at the following web address: http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf

Q: *What consequences will I face if I report that I have incidentally injured or killed a marine mammal?*

A: As long as you are registered in the program there are no consequences for reporting an injured or dead marine mammal. All fishermen, regardless of the category of fishery they participate in or whether an observer is on board, are required to report incidental takes of marine mammals. The information you provide is extremely important, as it helps NMFS and fishery representatives collect the most accurate, unbiased, and relevant information to develop appropriate management strategies that reduce take levels and at the same time, have the least impact on fishing practices.



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Q: *What action, if any, do I have to take regarding the MMAP?*

A: If you are the holder of a valid state or federal permit for a fishery that falls under one or more of the Category I or II fisheries, you are automatically registered in the MMAP, and there is no other action you need to take at this time.

While fishing in a Category I or II fishery, you must comply with the terms and conditions of the enclosed Authorization Certificate. These conditions include:

- Keeping the certificate, or a copy, on board the vessel. This certificate, in combination with a valid state or federal fishing permit, will serve as your authorization under the MMPA to incidentally take marine mammals during commercial fishing operations. In the case of non-vessel fisheries, the certificate, or a copy, must be in the possession of the person in charge of the operation.
- Reporting all injuries and mortalities of marine mammals within 48 hours of returning from the trip during which the takes occurred using the enclosed Mortality/Injury reporting form.
- Taking an observer aboard your vessel, if requested by NMFS or our designate. See enclosed Observer Coverage Fact Sheet for more information.
- Complying with any take reduction plans or emergency regulations that may apply to your specific fishery.

Q: *What are take reduction plans?*

A: Take Reduction Plans (TRPs) are plans developed by teams of stakeholders, including commercial fishermen, to assist in the recovery or to prevent the depletion of marine mammals that are incidentally seriously injured or killed in Category I or II fisheries. They may include regulations, and they are often accompanied by non-regulatory conservation measures.

Q: *What take reduction plan requirements do I have to abide by?*

A: There are five TRPs that may apply to fishermen in the Southeast U.S.:

- **Atlantic Large Whale TRP** (Maine through Florida (East Coast)) – affects the Northeast/Mid-Atlantic lobster trap/pot, Northeast sink gillnet, Mid-Atlantic gillnet, Southeastern U.S. Atlantic shark gillnet, and the Southeast Atlantic gillnet fisheries.

- **Mid-Atlantic Harbor Porpoise TRP** (Maine through North Carolina) – affects the Mid-Atlantic gillnet fishery.
- **Bottlenose Dolphin TRP** (New Jersey through Florida (East Coast)) – This plan affects the mid-Atlantic gillnet, Virginia pound net, Mid-Atlantic haul/beach seine, Atlantic blue crab trap/pot, North Carolina inshore gillnet, North Carolina roe mullet stop net, North Carolina long haul seine, Southeastern U.S. Atlantic shark gillnet, and Southeast Atlantic gillnet fisheries.
- **Pelagic Longline TRP** (U.S. Atlantic waters) – Currently no regulations. This plan will affect the U.S. pelagic longline fishery operating in the Atlantic.
- **Atlantic Trawl Gear TRP** (New York through North Carolina) - Currently no regulations; plan under development. This plan will affect the Mid-Atlantic mid-water trawl (including pair trawl), Mid-Atlantic bottom trawl, Northeast mid-water trawl (including pair trawl), and Northeast bottom trawl fisheries.

For more specific information on the TRPs, and applicable regulations please visit:

<http://www.nmfs.noaa.gov/pr/interactions/trt/>

or call the NMFS Southeast Regional Office at (727)-824-5312.

Q: *How can I avoid interacting with marine mammals?*

A: The following are general guidelines for avoiding interactions with marine mammals:

- If fishing from a boat, do not chum when marine mammals are nearby.
- Avoid fishing in an area where marine mammals are actively feeding, as they may mistake bait for food or inadvertently become entangled in gear.
- If marine mammals continue to interact with your gear, try hauling your gear and moving.
- Avoid discarding fish wastes in the presence of marine mammals, as this may attract marine mammals to your vessel.
- Never intentionally feed marine mammals, as this alters their natural behavior and may increase the incidence of hooking and entanglements.
- Do not dispose of fishing gear in the water. Even small amounts can be harmful to marine mammals if entangled or ingested. Throwing plastic into the ocean is illegal.

Q: *What should you do if you see a dead or injured marine mammal?*



Texas Marine Mammal Stranding Network

A: If you see a dead or injured marine mammal, please note its location and species type (if known), and provide this information to NMFS by calling the NMFS Emergency Stranding pager at (305) 862-2850.

You can also call the numbers below if you are in the following states:

North Carolina:	(252) 728-8762
South Carolina:	(800) 922-5431
Louisiana:	(504) 378-2580
Georgia:	(800) 241-4113
Alabama:	(251) 439-5139
Mississippi:	(228) 547-0736
Texas:	(800) 962-6625
Florida:	(888) 404-3922
U.S. Virgin Islands:	(340) 775-6762
Puerto Rico:	(787) 399-8432